

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 MIRANDA KANE (CABN 150630)
3 Chief, Criminal Division

4 KEVIN J. BARRY (CABN 229748)
Assistant United States Attorney

5 450 Golden Gate Ave., Box 36055
6 San Francisco, California 94102
7 Telephone: (415) 436-7200
8 Fax: (415) 436-7234
E-Mail: kevin.barry@usdoj.gov

9 Attorneys for the United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 JIMMY ALEJANDRO JARQUIN,)
18 Defendant.)

No. CR 12-0406 MMC

**STIPULATION AND [PROPOSED]
ORDER CHANGING HEARING DATE
AND EXCLUDING TIME**

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21 The Court has set November 14, 2012, as the date for a further status hearing or a change
22 of plea in this matter. The parties have engaged in settlement discussions and anticipate that
23 they will resolve the case through a guilty plea. The parties respectfully request that the hearing
24 be put over two weeks, to November 28, 2012, for a change of plea.

25 The parties further request that time between these dates be excluded from any time
26 limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation. *See* 18 U.S.C.
27 § 3161(h)(7)(B)(iv).
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1 SO STIPULATED:

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3 MELINDA HAAG
United States Attorney

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5 DATED: November 13, 2012

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7
8 /s/
KEVIN J. BARRY
Assistant United States Attorney

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10 DATED: November 13, 2012

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12 /s/
BRIAN NEWMAN
Attorney for JIMMY JARQUIN

13 [PROPOSED] ORDER

14 For the reasons stated above, the Court finds that exclusion from the time limits
15 applicable under 18 U.S.C. § 3161 of the period from November 14, 2012 through November 28,
16 2012, is warranted and that the ends of justice served by the continuance outweigh the best
17 interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). The failure
18 to grant the requested exclusion of time would deny counsel for the defendant and for the
19 government the reasonable time necessary for effective preparation, taking into account the
20 exercise of due diligence, and would affect continuity of counsel, resulting in a miscarriage of
21 justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

22 Further, the status conference is CONTINUED from November 14, 2012 to November 28,

23 IT IS SO ORDERED. 2012, at 2:15 p.m.

24 DATED: November 14, 2012

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THE HONORABLE MAXINE M. CHESNEY
United States District Judge